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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/635,070	12/07/2006	Helmut D. Link	246472006420

CONFIRMATION NO. 4374

FORMALITIES  
 LETTER

25227  
 MORRISON & FOERSTER LLP  
 1650 TYSONS BOULEVARD  
 SUITE 300  
 MCLEAN, VA 22102

Date Mailed: 01/22/2007

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

03/01/2007 SZEWDIE1 00000163 031952 11635070

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1130 for a non-small entity.

01 FC:1051	130.00 DA
02 FC:1011	300.00 DA
03 FC:1111	500.00 DA
04 FC:1011	200.00 DA

- \$300 Statutory basic filing fee.

- **\$130 Surcharge.**
- The application search fee has not been paid. Applicant must submit **\$500** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity.

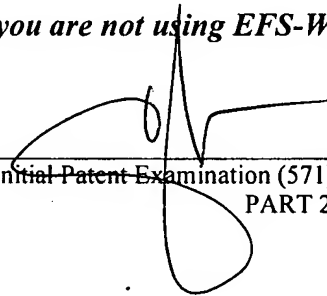
Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
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Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: 246472006420  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Helmut D. LINK et al.

Application No.: 11/635,070

Confirmation No.: 4374

Filed: December 7, 2006

Art Unit: Not Yet Assigned

For: CERVICAL PROSTHESIS AND  
INSTRUMENT SET

Examiner: Not Yet Assigned

**DESIGNATION OF RECORD ATTORNEYS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.32(b) the following patent practitioners named in the Power of Attorney filed in this case are to be recognized by the Office as being of record in the above referenced application and in any patent issued thereon.

Barry E. Bretschneider (Reg. No. 28,055)

Alex A. Chartove (Reg. No. 31,942)

Peter J. Davis (Reg. No. 36,119)

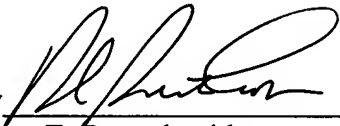
Raj S. Davé (Reg. No. 42,465)

Deborah S. Gladstein (Reg. No. 43,636)

Jonathan Bockman (Reg. No. 45,640)

Dated: February 28, 2007

Respectfully submitted,

By   
Barry E. Bretschneider  
Registration No.: 28,055  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 300  
McLean, Virginia 22102  
(703) 760-7743



Docket No.: 246472006420  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**SUBMISSION OF DRAWINGS**

MS Missing Parts  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is one set (two sheets, twelve figures) of drawings for filing in the above-identified patent application. Kindly substitute the enclosed drawings for the drawings submitted with the originally filed application.

Dated: February 28, 2007

Respectfully submitted,

By 

Barry E. Bretschneider

Registration No.: 28,055  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 300  
McLean, Virginia 22102  
(703) 760-7743